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Attorney for Plaintiff

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF MOHAVE

**CARLOS EARNESTO TILLMAN, a
married man,**

Plaintiff,

vs.

**BAXTER E. EVERETT AND JANE
DOE EVERETT, husband and wife;
SPECIALIZED RAIL SERVICES, INC.,
a Nevada corporation; UNIVERSAL
LOGISTICS HOLDINGS, INC., a
Michigan corporation; UNIVERSAL
INTERMODAL SERVICES, INC., a
Michigan corporation; and JOHN DOES
I through X, fictitious individuals; ABC
CORPORATIONS I-X and
PARTNERSHIPS, I-X, fictitious entities,**

Defendants.

Case No.:

COMPLAINT

(Tort-Motor Vehicle)

Plaintiff alleges:

1. Plaintiff, **CARLOS EARNESTO TILLMAN**, is a married man and resident of Pinal County, Arizona.

1 2. Defendant, **SPECIALIZED RAILS SERVICES, INC. (“SRS”)**, is a Nevada
2 company and doing business in Arizona.

3 3. Upon information and belief, **SRS** was acquired by Defendant, **UNIVERSAL**
4 **LOGISTICS HOLDINGS, INC. (“ULH”)**.

5 4. Upon information and belief, pursuant to the terms of **ULH** acquiring **SRS**, **SRS**
6 operates as part of Defendant, **UNIVERSAL INTERMODAL SERVICES, INC.**
7 **(“UIS”)**.

8 5. Upon information and belief, **ULH** and/or **UIS** acquired the stocks, liabilities,
9 assets, and debts, among others, of **SRS**.

10 6. Defendants are jointly and severally liable for any amounts awarded in this cause of
11 action.

12 7. Upon information and belief, Defendants, **BAXTER E. EVERETT and JANE**
13 **DOE EVERETT**, are a married couple at all-times relevant hereto residents of Las Vegas,
14 Nevada and acting on the behalf of the community to benefit same.

15 8. Defendants, ABC Corporations and Partnerships I through X and John Does and
16 Jane Does I through X are various persons or entities which may be liable as Defendants
17 in this matter. Plaintiffs will seek leave to amend this Complaint when they ascertain the
18 true names of these Defendants.

19 9. The amount in controversy exceeds this Court’s minimum jurisdictional
20 requirement.

21 10. This court has jurisdiction over this matter on the basis that the activities complained
22 of herein occurred in Mohave County, Arizona.

23 11. Venue is proper in Mohave County, Arizona.

24 12. On July 1, 2017, at 4:35 pm, Plaintiff, **CARLOS EARNESTO TILLMAN**, was
25 traveling eastbound on Interstate 40 in his tractor truck.

1 13. At said time and place, Defendant, **BAXTER E. EVERETT**, was operating a truck
2 tractor on the same interstate when he attempted to switch lanes and crashed into the back
3 of **CARLOS EARNESTO TILLMAN'S** vehicle.

4 14. Defendant, **BAXTER E. EVERETT**, reported to the responding officers that he
5 "observed traffic to be moving slowly in the number two lane", he then "switched into the
6 number one lane to pass slow moving traffic".

7 15. Upon information and belief, Defendant, **BAXTER E. EVERETT**, was operating
8 his truck tractor at a speed excessive for the conditions.

9 16. The accident was caused solely by the negligent and/or careless manner in which
10 Defendant, **BAXTER E. EVERETT**, operated his vehicle.

11 17. Defendants are vicariously liable for the acts of **BAXTER E. EVERETT** because
12 the negligent acts occurred while **BAXTER E. EVERETT** was in the course and scope of
13 his employment with Defendants at all relevant times hereto.

14 18. **ULH** and/or **UIS** are responsible for the liabilities and debts acquired from **SRS**,
15 including the liabilities and debts for this cause of action.

16 19. As a direct and proximate cause of Defendant, **BAXTER E. EVERETT'S**,
17 negligence, Plaintiff, **CARLOS EARNESTO TILLMAN**, sustained severe injuries
18 which resulted in considerable pain, suffering, inconvenience, and loss of enjoyment of life
19 and will cause future pain and suffering.

20 19. As a further direct and proximate cause of Defendant, **BAXTER E. EVERETT'S**,
21 negligence, Plaintiff, **CARLOS EARNESTO TILLMAN**, has incurred medical and
22 related expenses for the care and treatment, and will incur future expenses.

23 WHEREFORE, Plaintiff respectfully requests Judgment against Defendants as
24 follows:

25 A. For general damages in a fair and reasonable amount.
26

1 B. For the reasonable value of medical and related expenses incurred to date and to be
2 incurred in the future.

3 C. For Plaintiff's costs and expenses incurred to date, and to be incurred in the future
4 in this action.

5 D. For such other and further relief that the Court deems just and proper.

6
7 DATED this 12th day of June, 2019.

8 VALDEZ LAW P.L.L.C.

9 By: /s/ Joseph A. Hoxie

10 JOSH A. VALDEZ
11 JOSEPH A. HOXIE
12 323 West Roosevelt Street, Suite 100
Phoenix, Arizona 85003
Attorney for Plaintiff

13
14 **ORIGINAL** of the foregoing filed
this 12th day of June, 2019 with:

15 Clerk of the Court

16
17 /s/ Joseph A. Hoxie

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[☐] Representing Self, Without an Attorney
(If Attorney) State Bar Number: 023509, Issuing State: AZ

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IN AND FOR THE COUNTY OF MOHAVE

Carlos Earnesto Tillman
Plaintiff(s),
v.
Baxter E. Everett, et al.
Defendant(s).

Case No.

**CERTIFICATE OF
COMPULSORY ARBITRATION**

I certify that I am aware of the dollar limits and any other limitations set forth by the Local Rules of Practice for the Mohave County Superior Court, and I further certify that this case IS NOT subject to compulsory arbitration, as provided by Rules 72 through 77 of the Arizona Rules of Civil Procedure.

RESPECTFULLY SUBMITTED this

By: Josh A Valdez /s/
Plaintiff/Attorney for Plaintiff